

House Floor Activity: The Daily Flow of Business

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The rules of the House include a rule that lays out the daily order of business on the House floor. In practice, however, the House never follows this rule as it decides what legislative business it will transact, and when. All of the legislative business that the House conducts is brought to the floor in ways that interrupt the daily order of business, as defined by clause 1 of Rule XIV. For more information on legislative process, see <http://www.crs.gov/products/guides/guidehome.shtml>.

This rule provides that each daily session of the House is to begin with a prayer, followed by the reading and approval of the *Journal* (which documents the previous day's proceedings), and the Pledge of Allegiance. The rule then lists six other kinds of business and the order in which the House is to transact them each day. However, other House rules and certain precedents allow Members to interrupt these six kinds of business so that the House can act on specific kinds of measures and motions. A measure or motion is called *privileged* if it can interrupt the regular order of business, as defined in Rule XIV. In practice, all the legislative matters that the House considers during its floor sessions are brought up as privileged interruptions of the regular order of business.

Certain matters are privileged for floor consideration at any time. Others are privileged only after prior notification to the House or after they have been available in writing to Members for certain periods of time. Still others are privileged on certain days of the week, or on certain days of each month, or after a certain date of each year. In addition, the House always can agree to a unanimous consent request that it act on some matter—usually a non-controversial one—that otherwise would not be privileged for floor consideration at that time.

For example, clause 5(a) of Rule XIII grants certain committees “leave to report at any time” on certain kinds of measures within their jurisdictions. Once one of these measures is reported from committee, it becomes privileged for floor consideration, immediately or eventually. Under this rule, for instance, a special rule reported by the Rules Committee becomes privileged on the day after the committee reports it. Under the same rule, a general appropriations bill becomes privileged three days after being reported, but a continuing appropriations resolution is privileged only after September 15 of each year. Other rules and precedents grant privilege to such matters as conference reports, resolutions assigning Members to House committees, and resolutions raising “a question of the privileges of the House” (under Rule IX). Once any such matter becomes eligible for consideration, the appropriate Member (or, in some cases, any Member) can call it up for floor action when there is no other matter pending.

Rule XV designates certain days of each week or month on which special procedures take precedence over the regular order of business. For example, motions to suspend the rules are privileged on every Monday, Tuesday, and Wednesday, whereas motions to discharge committees must be listed on their calendar for at least seven days and then are privileged on the second and fourth Mondays of each month. The same rule also grants privilege on certain days to measures on the Private Calendar, to bills that committees call up on Calendar Wednesday, and to District of Columbia bills that the Committee on Oversight and Government Reform has reported.

Because of the House's reliance on this system of privileged business, there really is no such thing as a “typical day” on the House floor, except for the non-legislative proceedings that take place at the beginning and end of the day. Each daily session begins with the prayer, the approval of the *Journal*, and the Pledge of Allegiance. These opening proceedings usually are followed by some one-minute speeches that allow Members to comment on current legislative or other matters. However, the Speaker can control how many one-minute speeches are permitted on each day, or decline to allow any at all. After completion of legislative business on each day, there usually is a period of time for special-order speeches, arranged by unanimous consent, during

which Members who have requested to do so can speak for as much as an hour each on subjects of their choice.

Between one-minute speeches and special-order speeches, the House's floor schedule of legislative business depends on what kinds of privileged matters are in order on that day and what specific privileged matters are ready for consideration, as well as on the sequence in which the majority party's leaders propose that the House consider them. With few exceptions, the majority party, acting through the Speaker or its majority on the Rules Committee, retains the ability to control the daily floor schedule by determining the sequence in which the House takes up various items of privileged business.

The flow of business on the House floor also depends on the day of the week and the time of the year. The House tends to be in session more often and for longer hours during the middle of the week than on Mondays and Fridays. Also, the House tends to meet more often and for longer hours later during the year than during the first months of each session, when much of the House's legislative work is being done in committee. As the end of each session of Congress approaches, the House sometimes meets in extended floor sessions. Finally, the House typically conducts certain kinds of legislative business during certain months of the year. For example, the House is expected to act on a budget resolution during the spring, and the floor schedule during the months of June and July often is dominated by the House's initial consideration of the annual general appropriations bills. By the same token, during the last weeks of September, the House frequently has been preoccupied with the need to complete the appropriations process before the new fiscal year begins on October 1.

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